



Order Filed on October 23, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)
UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE UNITED STATES TRUSTEE
ANDREW R. VARA
ACTING UNITED STATES TRUSTEE,
REGION 3
Michael A. Artis, Esquire
One Newark Center, Suite 2100
Newark, NJ 07102
Telephone: (973) 645-3014
Facsimile: (973) 645-5993
E-mail: Michael.A.Artis@usdoj.gov

In Re:

Nicholas Pezza,

Debtor.

Case No.: 16-33371 (RG)

Chapter 11

Hearing Date: October 17, 2018, at 2:00 p.m.

Judge: The Honorable Rosemary Gambardella

**ORDER DIRECTING THE FILING OF AMENDED MONTHLY OPERATING
REPORTS, DIRECTING THE FILING OF ALL OUTSTANDING MONTHLY
OPERATING REPORTS, DIRECTING DEBTOR TO PAY ALL STATUTORY FEES,
AND SETTING CONDITIONS FOR VOLUNTARY DISMISSAL OF CASE**

The relief set forth on the following pages, numbered 2 through 3, is hereby
ORDERED.

DATED: October 23, 2018

A handwritten signature in cursive script that reads "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtor: Nicholas Pezza

Chapter 11 Case No. 16-33371 (RG)

**ORDER DIRECTING THE FILING OF AMENDED MONTHLY OPERATING
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AND SETTING CONDITIONS FOR VOLUNTARY DISMISSAL OF CASE**

THIS MATTER having come before the Court on the motion of the U.S. Trustee to dismiss case, or in the alternative, motion to convert case from Chapter 11 to Chapter 7 for the Debtor's failure to file monthly operating reports; and Michael A. Artis, Esq., appearing on behalf of Andrew R. Vara, the Acting United States Trustee; and Michal J. Cavallaro, Esq., appearing on behalf of the Debtor, Nicholas Pezza; and Denise Carlon, Esq., appearing on behalf of the secured creditor, KML Law Group, P.C.; and the United States Trustee filing and objection to the Debtor's Chapter 11 plan and motion to sell real property; and the United States trustee further raising certain concerns on the record regarding the Debtor's monthly operating reports, and the Debtor's payment of statutory fees; and the Debtor through counsel requesting permission for voluntary dismissal of his chapter 11 case in lieu of conversion to chapter 7, and the Court noting on the record that the Debtor had to comply with the Court's prior order of July 27, 2018, before it would consider a motion to voluntary dismiss case; and for good cause shown, it is hereby:

ORDERED that the Debtor shall amend his monthly operating reports pursuant to the prior order of this Court that was entered on July 27, 2018 (Docket No. 27) by October 31, 2018; and it is further

ORDERED that the Debtor shall file any and all outstanding monthly operating reports and shall pay any statutory fees due to the U.S. Trustee Program pursuant to 28 U.S.C. § 1930 by

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Debtor: Nicholas Pezza

Chapter 11 Case No. 16-33371 (RG)

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October 31, 2018; and it is further

ORDERED that if the Debtor fails to amend his monthly operating reports, fails to file all outstanding monthly operating reports, and fails to pay all statutory fees, upon notice of default by the U. S. Trustee, this case shall be converted from chapter 11 to chapter 7; and it is further

ORDERED that if the Debtor amends his monthly operating reports, files all outstanding monthly operating reports, and pays all statutory fees, the Court will consider a motion by the Debtor for voluntary dismissal of chapter 11 case; and it is further

ORDERED that any motion by the Debtor for voluntary dismissal of chapter 11 case must be filed on an expedited basis on or before November 13, 2018; and it is further

ORDERED that the motion of the United States Trustee to dismiss/convert case from Chapter 11 to Chapter 7 is rescheduled to November 27, 2018, at 10:00 a.m.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Nicholas Pezza
Debtor

Case No. 16-33371-RG
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 2

Date Rcvd: Oct 24, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 26, 2018.

db +Nicholas Pezza, 488 Dewey Avenue, Saddle Brook, NJ 07663-5904
aty +Michael J. Cavallaro, 25 Lafayette Place, Kearny, NJ 07032-2228

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 26, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 24, 2018 at the address(es) listed below:

Charles G. Wohlrab on behalf of Creditor U.S. Bank National Association, as Trustee, for
Lehman Mortgage Trust Mortgage Pass Through Certificates Series 2006-2 cwohlab@logs.com,
njbankruptcynotifications@logs.com
Deborah T. Feldstein on behalf of Creditor Christiana Trust as Custodian dfeldstein@caplaw.net
Denise E. Carlon on behalf of Creditor Deutsche Bank National Trust Company as Trustee for
the Holders of New Century Home Equity Loan Trust, Series 2005-A, Asset Backed Pass-Through
Certificates dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Francesca Ann Arcure on behalf of Creditor Nationstar Mortgage LLC, as servicer for U.S. Bank
National Association, as Trustee, for Lehman Mortgage Trust Mortgage Pass Through Certificates
Series 2006-2 NJ_ECF_Notices@McCalla.com, NJ_ECF_Notices@McCalla.com
Laura M. Egerman on behalf of Creditor U.S. Bank National Association bkyecf@rasflaw.com,
bkyecf@rasflaw.com; legerman@rasnj.com
Michael A. Artis on behalf of U.S. Trustee U.S. Trustee michael.a.artis@usdoj.gov
Michael J. Cavallaro on behalf of Debtor Nicholas Pezza attorneyforchrist@gmail.com,
lesliebrown.paralegal@gmail.com
Robert P. Saltzman on behalf of Creditor MTGLQ Investors, LP c/o Rushmore Loan Management
Services, LLC dnj@pbslaw.org
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9